

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MUTI A. AJAMU-OSAGBORO,	:	
Petitioner,	:	CIVIL ACTION
	:	
v.	:	NO. 06-05355
	:	
GEORGE PATRICK, WARDEN, et al.,	:	
Respondents.	:	

ORDER

And now, this 2nd day of June 2009, upon careful consideration of the instant petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 (Doc. 1), the government's response, the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, and petitioner's objections thereto, and the government's response it is hereby **ORDERED** that:

1. Petitioner's objections are **OVERRULED**.
2. The Report and Recommendation of United States Magistrate Judge Linda K. Caracappa is **APPROVED** and **ADOPTED**.
3. The petition for writ of habeas corpus is **DISMISSED** as non-cognizable or untimely.
4. Petitioner's Motion to Rebut (Doc. 61) is **DENIED**.
5. The petitioner having failed to make a substantial showing of the denial of a constitutional right, there is no ground to issue a certificate of appealability, see 28 U.S.C. § 2253(c).
6. The Clerk shall **CLOSE** this case statistically.

s/William H. Yohn Jr.

William H. Yohn Jr., Judge